

Town of East Hampton
Zoning Board of Appeals
300 Pantigo Road, East Hampton, NY 11937



APPROVED MINUTES OF MEETING

Date: April 26th 2016
Time Started: 6:30 p.m.

Members Present:

John P. Whelan, Chairman
Cate Rogers, Vice Chair
David Lys, Member
Lee White, Member
Roy Dalene, Member

Also Present:

Denise Savarese, Legislative Secretary
Elizabeth Baldwin, Counsel to the Board

Public Hearing:

6:30 PM – Applicant: John and Mary Fix – 28 Fanning Avenue, East Hampton – SCTM# 300-38-6-4.1 – Project description is to construct a 293 sq. ft. deck on a parcel of land within the Town’s jurisdiction of tidal wetlands. Also to allow an existing wood wall over 6 ft. to remain within rear yard lot line setback. Counsel Baldwin noted that the Affidavit of Service and Posting was in order. Chairman Whelan read the Notice of Public Hearing into the record. Vice Chair Rogers conducted a field inspection of the site and reported her findings to the Board.

Speakers at the Public Hearing

Mary Fix – Applicant – 28 Fanning Avenue
John Fix – Applicant – 28 Fanning Avenue
Steve Walsh – Neighbor
Brian Frank – Chief Environmental Analyst – Planning Department

Vice Chair Rogers made a motion to close the Public Hearing. Member Dalene seconded. All members were in favor.

Public Hearing:

6:50 PM – Applicant: Villa Prince Ristorante Corp. – 521 Montauk Highway, Amagansett – SCTM# 300-150-5-28.4 – Project description is an appeal of the Building Inspector’s determination dated February 14th 2014 which rescinded Building Permit #58978. The applicant has stated in the application form that “Building Permit #58978 was not issued in error and should not have been rescinded because site plan approval was not required before a building permit may be issued in this instance.”

Counsel Baldwin noted that the Affidavit of Service and Posting was in order. Chairman Whelan read the Notice of Public Hearing into the record. Member Lys conducted a field inspection of the site and reported his findings to the Board.

Speakers at the Hearing were:

Gregory Alvarez – Amato Law Group – appeared on behalf of the Applicant
Elaine Jones – 601 Montauk Highway, Amagansett

Member Lys made a motion to close the Public Hearing – and leave the record open for Board to research records from the Building Department and Planning Board files until May 10th 2016 and leave record open for applicant until May 26th 2016. Member Dalene seconded. All members were in favor.

Work Session:

Extension of Time

MBS Trust – 76 Old West Lake Drive, Montauk - SCTM# 300-20-5-19.1 – Member Lys made a motion to approve the Extension of Time. Vice Chair Rogers seconded. All members were in favor.

Stephanie Bitterman-Smith – 45 Whalers Lane, Amagansett - SCTM# 300-152-2-14 Member Lys made a motion to approve the Extension of Time. Vice Chair Rogers seconded. All members were in favor.

Laura Michaels – 71 South Edgemere, Montauk – SCTM# 300-28-4-27 - Member Lys made a motion to approve the Extension of Time. Vice Chair Rogers seconded. All members were in favor.

Tabled Possible Administrative Application:

Nora Ferrari – 32 Oyster Shores Road, East Hampton – SCTM# 300-92-9-28 – second story addition

Scott Marden – 166 Waterhole Road, East Hampton – SCTM# 300-23-3-6 – addition, porch, pool, deck, upgrading sanitary system

Ida Eichner – 161 East Lake Drive, Montauk – SCTM# 300-13-3-17 – above ground swimming pool and pool patio

Tabled Board Determination:

Ingrao – 402 Old Montauk Highway – Montauk – SCTM# 300-22-1-5 – Memo from Brian Frank

Board Decisions:

Robyn Diamant – SCTM# 300-110-2-1 – 91 Napeague Harbor Road, Amagansett – Project description is to demolish an approximately one story residence and construct a new 2,205 sq. ft. two story residence with 560 sq. ft. of 1st and 2nd floor decking and a sanitary system on a parcel of land containing tidal wetlands, primary dunes and beach vegetation. Public Hearing held March 1st 2016 – Public Hearing closed record left open indefinitely. Member Lys made a motion to close the Public record. Member Dalene seconded. All members were in favor.

Minutes:

Member Lys made a motion to approve the Minutes of April 12th 2016 & April 19th 2016. Member Dalene seconded. All members were in favor.

Resolution Signed:

John Chafos – SCTM# 300-4-2-7 – Chairman Whelan made a motion to accept the Determination as written. Member Lys seconded. All members were in favor.

Adjourn:

Vice Chair Rogers made a motion to close the Public Hearing. Member Lys seconded. All members were in favor.

**John P. Whelan, Chairman
Zoning Board of Appeals**